

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

*(Write the District and Division, if any, of the  
court in which the complaint is filed.)*

Jerron L. Daily

*(Write the full name of each plaintiff who is filing  
this complaint. If the names of all the plaintiffs  
cannot fit in the space above, please write "see  
attached" in the space and attach an additional  
page with the full list of names.)*

**-against-**

Callaway County Jail / City of  
Callaway / Lt Akers /  
Captain Robbie / Clay Chism

*(Write the full name of each defendant who is  
being sued. If the names of all the defendants  
cannot fit in the space above, please write "see  
attached" in the space and attach an additional  
page with the full list of names. Do not include  
addresses here.)*

**Complaint for Violation of Civil  
Rights**

(Prisoner Complaint)

Case No. \_\_\_\_\_  
(to be filled in by the Clerk's Office)

**REQUEST FOR TRIAL BY JURY**

Plaintiff requests trial by jury. ☒ Yes ☐ No

## I. The Parties to This Complaint

### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Jerron L. Daily

All other names by which you have been known:

ID Number

Current Institution

Cole County Jail

Address

P.O. Box 426  
Jefferson City MO 65102

### B. The Defendant(s)

- Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation.
- Make sure that the defendant(s) listed below are identical to those contained in the above caption.
- For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both.
- Attach additional pages if needed.

Defendant No. 1

Name

Lt Akers

Job or Title  
(if known)

correction officer / sheriff officer

Shield Number

Callaway County Jail

Employer

Address



Individual capacity



Official capacity

## Additional Defendant's

- (3) City of Callaway
- (4) Callaway county Jail
- (5) Sheriff Clay Chism

Defendant No. 2

Name

Captain Robble

Job or Title  
(if known)

Correction officer / Sheriff officer

Shield Number

\_\_\_\_\_

Employer

\_\_\_\_\_

Address

Callaway County Jail



Individual capacity



Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):



Federal officials (a *Bivens* claim)



State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights.

What federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Racial Discrimination

\_\_\_\_\_

\_\_\_\_\_

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (*explain*) \_\_\_\_\_

### IV. Statement of Claim

Write a short and plain statement of FACTS that support your claim. Do not make legal arguments. You must include the following information:

- What happened to you?
- What injuries did you suffer?
- Who was involved in what happened to you?
- How were the defendants involved in what happened to you?
- Where did the events you have described take place?
- When did the events you have described take place?

If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I was treated differently due to my race and why  
at Callaway County I was called racial names and  
the Lt Akers you gonna call Jesse Jackson is what he  
told me. Trumatized is the injurie I suffer. Lt  
Akers and Captain Robbie both use racial slurs  
toward me.

# Defendants: Callaway County / Callaway County Jail

On November 22, 2019 I was in my arraignment hearing at the Callaway County MO Jail waiting to see the judge. I was asking a few other african american males why was we being held with no bond on non-violence offenses and white males are getting bond's on violence offenses. Lt. Akers over hear me talking which he even tries to listen why you talk to your Lawyer because everyone in the same small room seeing the judge on a screen. He told me who I'm going to call jesse jackson & laughed at me. the comment he made excited other white male inmates making them use racial comments. Callaway County jail is 90% white inmates and only had one black employee at the time, which she quit due to other workers using racial slurs she complained to the HR about it. She asked Lt Akers did he use the language he denied it to her. I filed a grievance to the Captain and Lt. Akers told the Captain he used the <sup>Language</sup> ~~language~~ and the Captain did nothing about it. I have documents from the Captain stating Lt. Akers admitted it. I then filed a grievance to the Sheriff and waited 60 days nothing was done I filed another one to the Sheriff nothing was done which I had to go to the next step I filed a Lawsuit for racial discrimination in the western district of Missouri but they lacked both cases out due to me not filing on time. I'm going to re file both cases I need help #Black Lives matter

## V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Trumatized and embressed and mentally  
Broken

## VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

\$2,000,000 Actual Damages 2,000,000 punitive  
damages, all parties be released for their  
actions for good, all parties donate \$20,000  
to the Black Lives Matter

## VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

- A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes  
☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Callaway County Jail

- B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes  
☐ No  
☐ Do not know

- C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes  
☐ No  
☐ Do not know

If yes, which claim(s)?

officers using racial slurs and name  
calling

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes  
☐ No



If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

- ☐ Yes  
☐ No

E. If you did file a grievance:

1. Where did you file the grievance?

I filed the grievance at  
Callaway county jail all the way  
up to the Sheriff himself

2. What did you claim in your grievance? (Attach a copy of your grievance, if available)

that I was being racially discriminated  
against and that officers was using  
racial slurs etc.

3. What was the result, if any? (Attach a copy of any written response to your grievance, if available)

Nothing was done

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I appeal all the way to the  
Sheriff himself

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

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2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

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G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I file Appeal 3 to four time to the Sheriff to get no response.

*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

## VIII. Previous Lawsuits

The “three strikes rule” bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has “on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this “three strikes rule”?

☐ Yes  
☒ No

If so, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes  
☐ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) Jerron L Daily  
Defendant(s) Same Defendants

2. Court *(if federal court, name the district; if state court, name the county and State)*

Western District of Missouri

3. Docket or index number

Not Sure

4. Name of Judge assigned to your case

Natte Laughley

5. Approximate date of filing lawsuit

Not Sure

6. Is the case still pending?

☐ Yes  
☒ No

If no, give the approximate date of disposition. Not Sure

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

Dismissed due to not having the  
resource to file on time

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

☐

Yes

☒

No

- D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) \_\_\_\_\_

Defendant(s) \_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county and State)

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐

Yes

☐

No (If no, give the approximate date of disposition):

\_\_\_\_\_

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)
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## IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 28 July, 2020

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

City State Zip Code

Jerron L Daily  
Jerron L Daily  
202145  
P.O BOX 426  
Jefferson City, MO 65102

Jerome Daily 202145  
P.O. Box 426  
Jefferson City, MO 65102

Legal  
Mail

<b>Click-N-Ship®</b>	
	US POSTAGE \$7.50 9405 5036 9930 0482 6524 51 0075 0000 0716 5101
08/06/2020 0 lb 7 oz Mailed from 65101 062S0000001301	
<b>PRIORITY MAIL 2-DAY™</b>	
JEROME DAILY COLE COUNTY JAIL OFFICE 350 E HIGH ST JEFFERSON CTY MO 65101-3213	
Expected Delivery Date: 08/10/20	0023
Carrier -- Leave if No Response	
C003	
SHIP TO: WESTERN DISTRICT UNITED STATES DISTRICT COURT 80 LAFAYETTE ST JEFFERSON CTY MO 65101-3231	
USPS TRACKING #	
9405 5036 9930 0482 6524 51	
Electronic Rate Approved #038555749	